

REMARKS

Claims 1-3 are pending in the application. It is gratefully acknowledged that the Examiner has allowed Claim 2. The Examiner has rejected Claim 1 under 35 U.S.C. §112, first paragraph. The Examiner has rejected Claims 1 and 3 under 35 U.S.C. §103(a) as being unpatentable over Rezaiifar et al. (U.S. Patent 6,011,796).

It is gratefully acknowledged that the Examiner has withdrawn the "final" marking of the Office Action.

Regarding the rejection of Claim 1 under §112, first paragraph, it is respectfully submitted that Claim 1 is being misread. Claim 1 reads in part, "transmitting a retransmission request frame including fields that indicate the sequence numbers in the receiver". To clarify this clause, Claim 1 has been amended to read "transmitting a retransmission request frame including fields that indicate the sequence numbers stored in the receiver". Withdrawal of the rejection of Claim 1 is respectfully requested.

Regarding the rejections of Claims 1 and 3 under §103(a), the Examiner states that Rezaiifar et al. discloses all of the elements of the claims. Rezaiifar et al. discloses extended range sequence numbering for a selective repeat data transmission protocol.

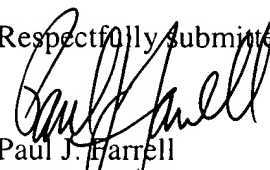
In particular and with respect to Claim 1, in the Examiner's allowance of Claim 2 the Examiner states on page 5 of the Office Action that the allowable subject matter of Claim 2 consists at least of "the receiver RLP transmits a retransmission request frame for the RLP frame the receiver failed to receive upon receipt of an RLP frame of a higher sequence number than the sequence number of the lost RLP frame." Claim 1 recites "requesting retransmission of the lost RLP frame upon receipt of an RLP frame of a higher sequence number than the sequence number of the lost RLP frame." Based on at least this recitation alone, Claim 1 should be allowable for the reasons Claim 2 is allowable. Withdrawal of the rejection of Claim 1 is respectfully requested.

In particular and with respect to Claim 3, Claim 3 has been amended to add the element of transmitting a first retransmission request frame upon receipt of an RLP frame of a higher sequence number than the sequence number of the non-received RLP frame. As Rezaiifar et al. does not disclose this element, withdrawal of the rejection of Claim 3 is respectfully requested.

Based on at least the foregoing amendments and argument, withdrawal of the rejections of Claims 1-3 is respectfully requested.

Independent Claims 1, and 3 are believed to be in condition for allowance. Accordingly, all of the claims pending in the Application, namely, Claims 1, 2 and 3, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicant's attorney at the number given below.

Respectfully submitted,



Paul J. Farrell

Reg. No. 33,494

Attorney for Applicant

DILWORTH & BARRESE
333 Earle Ovington Blvd.
Uniondale, New York 11553
Tel: (516) 228-8484
Fax: (516) 228-8516

PJF/MJM/dr